

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 12, 1966

Appeal No. 8541 Richard M. Oliver, et al, Appellants.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on January 18, 1966.

EFFECTIVE DATE OF ORDER -- April 6, 1966

ORDERED:

That the Order dated February 17, 1966, in Appeal No. 8541 be amended to show lots 1, 2, and 3, square 1414. Due to a clerical error, the original Order showed the lots as 804, 806, and 808.

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 12, 1966

Appeal No. #8541 Richard M. Oliver et al, Appellants.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on January 18, 1966.

DATE OF ORDER -- February 17, 1966

ORDERED:

That the appeal for a variance from the minimum lot area and width requirements of the R-1-B District to permit division into two lots and erection of a dwelling on one lot at 5001 Sherrier Place, NW., lots 804, 806, and 808, Square 1414, be granted.

From the records and evidence adduced at the hearing, the Board finds the following facts:

(1) Appellants are the owners of three lots, all of which fail to meet the minimum lot requirements of the R-1-B District.

(2) The three lots are narrow, and have a frontage of 25 and 26 feet on Sherrier Place, NW. with a depth of 125 feet. The three lots contain an area of 9500 square feet whereas the R-1-B District requires an area of 500 square feet and a 50 foot frontage per lot.

(3) There is an existing two story frame dwelling with basement on two of the lots.

(4) Appellants propose to redivide the three lots so as to have two lots, one consisting of 5016 square feet and the other consisting of 4484 square feet, a variance of 516 square from the requirements.

(5) Appellants assert that the existing house has been remodeled within the past 15 years, but is too old and too small to lend itself to further improvement that would make it compatible with the 9500 square foot lot.

(6) Appellants propose to erect a two story brick dwelling with basement on the new lot.

(7) There was an objection to the granting of this appeal expressed at the public hearing.

OPINION:

The Board is of the opinion that the appellants have proven exceptional and undue hardship inherent in the land resulting in an undue hardship upon the owners. Failure to grant the appellants' appeal would only continue an existing hardship and prevent reasonable use of the property.

Since the division of these lots will result in one conforming lot and another only slightly nonconforming, the Board concludes that the granting of this appeal will constitute an improvement. Further, the Board concludes that the appellants' proposals are consistent with the purpose and intent of the zoning regulations and will have no adverse affect upon the value and stability of the R-1-B District in which it is located. In fact, the Board feels that the appellants' proposals will enhance the neighborhood and carry out the purposes of the Zoning Regulations.